

# NEWS RENSSELAER COUNTY LEGISLATURE

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August 17, 2007

### COUNTY LEGISLATURE APPROVES SETTLEMENT; AVOIDS TRIAL

At the August meeting of the Rensselaer County Legislature, a \$180,000 settlement to a \$1.8 million lawsuit against County Executive Kathy Jimino was approved by vote of 16 ayes, 1 nay (Swartz) and 1 abstention by Keith Hammond. The county's insurance carrier will pay \$55,000 with \$125,000 coming from taxpayers.

The county could have settled the case nearly a year ago for \$110,000 but the GOP Majority ignored the recommendation of the County Attorney, then, and decided to wait it out. A year later, Republicans rallied to settle at double the cost to taxpayers.

Democrats had supported settling the case a year ago when the price tag was half the cost. According to Minority Leader Ginny O'Brien, "Settling the case was in the best interests of the taxpayers. We wanted to save taxpayers as much as possible and avoid a potential trial decision that could have cost taxpayers nearly \$2 million."

"However," O'Brien says, "The Legislature's GOP Majority needs to be held accountable for not acting on this settlement a year ago. Their refusal to accept the County Attorney's recommendation then has cost taxpayers an additional \$60,000."

The lawsuit was filed by former Real Property Tax Services Director Jeff Jackson who claims he was not reappointed to his position in 2002 by County Executive Kathy Jimino because he had spoken out publicly against her predecessor, Henry Zwack. Zwack removed tax mapping operations from the county's Real Property Tax Department which Jackson and local assessors opposed. Jackson, suing for \$1.8 million in damages, claims his First Amendment rights were violated when he was not reappointed.

"The fact that we even have this case before us is the issue for me," said Legislator Flora Fasoldt. "This is another example of the taxpayers paying for the poor judgement of high ranking GOP officials. The County Executive based her decision to terminate this 27 year veteran employee on politics not professionalism and we are all paying the price for it."

"It's too bad that such a highly respected professional should have to sue the county in the first place," noted Deputy Minority Leader Keith Hammond. "The county lost a valuable employee just because he had the courage to stand up for what county assessors and the NYS Real Property Tax Services knew to be the best delivery of service to the taxpayers." Hammond was a legislator at the time and remembers the outcry in support of Jackson. Jackson is now employed by several towns and cities, providing professional real property services.

Although Majority Leader Bob Mirch claimed there were new facts, Democratic Legislator Brian Zweig noted, "There's nothing new to this settlement to explain why the Republican Majority now supports a more expensive settlement."

Democrats also questioned the timing of this second settlement offer now supported by the GOP. "It is suspect that, on the eve of the case going to trial at which County Executive Jimino would have to testify under oath, the Republican Majority are now ready to settle," noted Legislator Kevin Harrington, a member of the Legislature's Judiciary & Public Safety Committee.

Democrats didn't get the settlement resolution until moments before Tuesday's legislative session and Legislator Kevin Harrington urged that the matter be discussed in the Judiciary Committee, as it had been a year ago, "to allow a thorough airing of the facts." His request fell on deaf ears. DATE